

SIXTH DAY.

Senate Chamber,
Austin, Texas,
January 16, 1935.

The Senate met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor Walter F. Woodul.

The roll call disclosed a quorum, the following Senators being present.

Beck.	Moore.
Blackert.	Neal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Stone.
Holbrook.	Sulak.
Hopkins.	Van Zandt.
Hornsby.	Westerfeld.
Hughston.	Woodruff.

Absent—Excused.

Martin.	Small.
Oneal.	

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Hornsby.

Bills and Resolutions.**Inaugural Address.**

Senator Hornsby asked unanimous consent to print the inaugural address of Governor Allred in the Journal.

Unanimous consent was granted.

Senator Holbrook asked unanimous consent that the address of Lieutenant Gov. Walter F. Woodul be printed.

Unanimous consent was granted.

Inaugural Address of Governor James V. Allred, Delivered Tuesday Noon, January 15th, 1935

Mr. President of the Senate, Mr. Speaker of the House, Members of the Forty-fourth Legislature, Representatives of six million Texans, and My Friends:

Within itself, the constitutional oath of office just administered is sufficient to inspire the highest resolves and noblest impulses of the human heart. To assume that obligation, even in ordinary times, immeasurably thrills and stirs the souls

of men. To take this time-honored oath, as I am privileged, amidst these historic surroundings, upon the centennial eve of our Lone Star State, is to me not only an honor beyond expression but a challenge to action.

To our great commonwealth of citizens, I shall ever be grateful the honors bestowed upon me. May my every private and official act be acceptable in their sight and evidence that their faith has been well-founded.

In talking to the nation on March 4th, some two years ago, President Roosevelt spoke at a time of great crisis. His inaugural address, a model of brevity and frankness, will last as a pattern of inspiration for generations to come. He gave us a new deal in words and speech as well as in ideals and statecraft.

It was another great President, Woodrow Wilson, who first used the expression, "open covenants, openly arrived at."

I trust that we may be able to inaugurate here today the forthright policy in Texas of "open covenants, openly arrived at" between the people, the Legislature, and the Executive Department.

I thank God I am not standing before you in times as distressful as those under which the President came into National power. Under his leadership, this Union of States has steadily gone forward. Our own Lone Star State has played its part and we Texans may properly say that no other state has ever more intelligently followed two such great leaders as Wilson and Roosevelt. Texas stood united behind the great War President and now stands behind the great Recovery President. I pledge you that this administration will continue to go forward with President Roosevelt whenever our state rights and duties may harmonize with the objectives of the National Administration.

Our immediate Texas problems are recovery problems. They are not the problems of your Governor alone; they are not the problems of the Legislature alone. They are the problems of Texas. But, to a great extent, their solution depends upon a sane, intelligent and, above all, a patriotic approach by this Legislature and your humble servant.

Each generation, no doubt, feels that its problems most seriously

threaten the stability of government. This new day in Texas is no exception. As we seek to revise our government to meet transition from old to new circumstances of life, grave doubts assail us. Too many of our citizens are on relief rolls; and fear clutches at the hearts of even those fortunate enough to be employed. The welfare of all our people seems to us at stake. Looking back a hundred years, however, to a state then forming with little material wealth and a total population of only a few thousands, with its then perplexing problems, we must say that the genius of Texas has gone a long way.

Truly then, our six million people with billions of wealth in oil, cotton, timber, cattle, and natural resources should have nothing to fear today. We are ready for a new cycle of progress. It shall be my concern that that progress may be directed primarily in the interest of Texas' six millions. This great State, with its unbounded resources and a citizenship in whose veins still flows the achieving blood of pioneers, can lead the nation in its recovery march.

We can, we must, restore opportunity, vitality and hope to our distressed people. It can be done. If we can be but furnished with the type of patriotic leadership Texas needs, if the natural resources and the wealth of Texas are properly developed and distributed, if greedy privilege is kept out of government and legislative halls—in short, if Texas is properly governed by all of us who have been honored by the people—then the task so boldly begun by our great National leader can be completed.

The program of the Federal government now recognizes that "charity is a poor substitute for justice." Too many of our fine citizens now upon relief do not belong there, did not want to be there, and were placed there by circumstances utterly beyond their control. So far as it is within the power of Texas to do so, we must dedicate ourselves to the task of restoring them to their normal walks of life. The New Deal in Texas must be no mere phrase-making. For these worthwhile but unfortunate citizens, it must be also a "Fair Deal."

As a Texan, I am proud of the fact that the "new order" program of the National government, pro-

posing to substitute work for direct relief, follows almost verbatim the State Democratic platform adopted in Galveston last September. As pointed out in that progressive document, in order to secure the maximum benefits possible under a recovery program, the State should coordinate its efforts with those of the National government. This I propose, in public works projects, in old age pensions, in soil erosion prevention and in every other worthwhile manner.

My friends, there is another field of public welfare in which we must stage a big recovery. No citizenship can be happy, no benefits in government can be worthwhile in a state where that government is not respected. Perhaps the saddest feature of the past few years in Texas, even sadder than that of relief rolls, is the wholesale flaunting of the law by a dangerous minority which does not typify Texas. The reports of the Senate Investigating Committee contain startling revelations of conditions in some communities which bring shame to every true Texan.

Almost fifty years ago when the great Jim Hogg relinquished the Governor's office to Charles A. Culbertson, he closed with this admonition:

"Legal science, political philosophy, and experience teach us that the greatest imperfections of human government can be traced to the failure to impartially and faithfully enforce the laws. Completeness of the law must not be expected, for the perfection of civilization can never be reached; but the tranquility, safety and happiness of the people may be assured by strict obedience to their will in the faithful execution of such laws as their duly constituted representatives shall adopt. The germ of discontent lying in the hearts of Americans was placed there by treacherous official hands thrust above duty to confer on the favored few immunity from all law. Texans will not participate in the crime."

My friends, these principles are eternal and everlasting. They fit changing conditions of life and are fully as applicable today as when they were uttered.

One of our leading newspapers in a recent editorial said:

"Texas is essentially a community

of virtuous people. They do not want the grosser liberalism of a New York, a Chicago, or a New Orleans.

My friends, a vast majority of the people in Texas are not going to be overrun by a vicious minority. Gangsters, bandits, thugs and thieves, and their pardon-peddling accomplices higher-up, have no place in the clean life that Texas needs.

Primarily, it is the duty of local officers to enforce the law. As Governor of Texas it is my duty under the Constitution to "cause the laws to be faithfully executed." I am going to perform that duty and I want you, my friends, to call upon your local officers to enforce the law. If they fail to do so, I want you and your representatives and senators to back me up in the performance of my duty. I pledge the good officers and decent citizenship of Texas that once these law violators are behind prison doors they will receive clemency only when entitled to it, based on merit, and merit alone.

The people have a right to change any law by a majority vote. I have no fear of any change the people of Texas may so make or approve. But, so long as laws are on our statute books, they must be enforced.

The problems of Texas are too many, too varied, and too complex for further discussion here.

In considering these, or any other subjects, I expect to be guided and controlled by the enunciated principles and platform demands of our Party, in the light of my oath of office. In any matters wherein it may be my duty as Governor to advise with the Legislature, I will at all times act in the interest of the "Fair Deal" for six million Texans.

Every problem of government has been intensified by economic conditions prevailing throughout the country. My friends of the Forty-fourth Legislature, this unparalleled flow of events has brought us together today with a common responsibility. We must have a maximum of cooperation and forbearance by the various departments of government.

It is my constitutional duty to advise and consult with the Legislature from time to time. I so shall do, submitting timely questions as fast as the Legislature is ready to act. The custom is old-fashioned, but I believe inaccurate, whereby the Governor places before the Leg-

islature at one time a complete program for a session in an undigested and cumbersome manner. As I counsel with the Legislature from time to time, I pledge you that six million stockholders in Texas shall be taken into our confidence.

The day of political trickster, the day of "closed-door" log-rolling, the day of patronage trading, the day of political sniping, the day of political sabotage—these days, all of them, should pass out with the fogs of yesteryear. The sunshine of truth should come through open doors so all may see just how this government is carried on.

To the Legislature I propose a working partnership between the executive and legislative branches of this government in the interests of the people. At all times I shall welcome suggestions from members of the Legislature. The doors of the Governor's office are open to this splendid body of senators and representatives. I need your help and Texas needs the devoted, consecrated services of all of us. If we will work together, then truly Texas may go forward.

My fellow citizens, humbly invoking, as did our fathers a hundred years ago, the blessings of the Almighty, I pledge all I have of physical and mental strength in your service.

Inaugural Address of Lt. Governor
Walter F. Woodul, Delivered Tuesday Noon, January 15, 1935.

In keeping with the Constitution and laws of this great State, you are gathered here today to attend the inauguration of your Governor and your Lieutenant Governor. It is my happy privilege to be the one to serve this grand old State for the next two years in the capacity of Lieutenant Governor. I appreciate more than I can tell you the honor accorded me and I shall strive my utmost to serve well and faithfully. I wish upon this occasion to thank the voters of this State for their splendid showing of confidence, and my constant prayer will be that I may not disappoint them.

Some eighteen years ago, while a member of the House of Representatives, I married a girl who I thought the best looking and finest girl in all the land. She is still my wife and she is better looking and grows finer

each day, and I want to publicly acknowledge to her this day for myself and our only son my gratitude for her loyalty to me through thick and thin. I know you will pardon this personal digression, and I hope you will allow me this latitude.

As your Lieutenant Governor my principal duties will be that of presiding over the deliberations of the Senate of Texas, and this is a duty I look forward to with the keenest delight. I have served in that body six years. I love every member of that body, and to them, and to the Speaker and members of the House of Representatives, all of whom are assembled here with the Governor and the other officials of this State to counsel together and work together in a patriotic service for the benefit of the people of this State, I pledge my cooperation. Regardless of whether one agrees with the votes of the members of the Legislature on every question or not, I never knew a more patriotic body of men, sacrificing their time and money for the honor of serving their State.

As the hands of time are turning and will turn into the hundredth anniversary of the founding of the Republic of Texas, the land of free men and of opportunity, there never was more opportunity for enlightened public service than is presented now. We are coming out of the worst depression the world has ever known, and the problems confronting us have never been greater. The intelligent solution of these many problems will bear fruit in happiness now and of generations yet unborn. No one who knows me can ever charge me with being a pessimist. How can one who has been born into this great State of ours, a land of milk and honey, be other than an optimist?

To the incoming Governor and the various other members of the government, I pledge hearty cooperation in all matters affecting the welfare of our people, and my constant prayer for you, Governor-elect Allred, is that your administration may be one of harmony, peace, happiness and prosperity to the great mass of our people.

And now, in conclusion, may the good and great God, who watches the destinies of us all, guide over us and make us better fitted to serve a great people day by day, and this prayer I utter with all humility.

Senate Bill No. 82.

By Senator Redditt:

S. B. No. 82, A bill to be entitled "An Act defining and regulating the practice of professional engineering in the State of Texas; providing for the creation of the State Board of Registration for Professional Engineers and prescribing their powers and duties, terms of office, qualifications and for payment of their compensation and expenses out of registration fees and from the "Professional Engineering Fund" as provided in this law; providing for removal of members of the Board for cause; providing for creation of "Professional Engineers' Fund" and appropriating money therefrom; prescribing requirements for registration of professional engineers; providing for registration fees and for examinations of applicants for certificate of registration and for issuance and use of certificates and seals; providing for issuance of renewal certificates on payment of renewal fees; providing that a firm, co-partnership, corporation or joint stock association may engage in the practice of professional engineering in this State provided such practice is carried on by only professional engineers registered in this State and declaring an emergency."

Read and referred to the Committee on State Affairs.

Senate Bill No. 83.

By Senator Redditt:

S. B. No. 83, A bill to be entitled "An Act to make the civil judiciary system of the State more fully self-sustaining, by providing for the collection of certain additional fees for the filing of original petitions and answers in all civil suits filed in the District Courts, and for the filing of appeals in the Courts of Civil Appeals, petitions for writs of error and motions for leave to file original suits in the Supreme Court—except in cases of suits for the collection of taxes and suits by the State, counties, school districts, and road districts of the State, and except in cases of habeas corpus proceedings; fixing the amount of said fees, providing for their collection and remittance to the Comptroller of the State, and their payment into the treasury of the State; prescribing certain duties with reference to these matters by the clerks of the District Courts, the clerks of the Courts of Civil Appeals

and the Supreme Court, and for the Comptroller and State Treasurer; providing that insofar as parties to any litigation are concerned, for the taxation and collection of the fees herein prescribed as other court costs; providing for conditions under which a litigant may file the pleadings referred to in the Act when too poor to pay the fees, and declaring an emergency."

Read and referred to the Committee on State Affairs.

Senate Bill No. 84.

By Senators Beck, Holbrook, Hornsby, Sanderford, Shivers, Cotten, Hill, Fellbaum, Rawlings, Poage, Hopkins, and Collie:

S. B. No. 84, A bill to be entitled "An Act which provides for the prevention and control of disease; defining certain terms; giving the State Health Officer and the State Board of Health authority to promulgate orders, rules and regulations for the protection of the public health; repealing all of the old State Sanitary Code known as Chapter IV, Article 4477 of the Revised Civil Statutes of Texas of 1925, save and except S. B. No. 46, Acts of 1927; Fortieth Legislature, last Called Session, page 116, Chapter 41, as amended by S. B. No. 20, Acts of 1929, Forty-first Legislature, First Called Session, page 7, Chapter 4, which same is known as 'The Vital Statistics Law,' and shall remain in full force and effect; and repealing all laws, articles, sections, and subdivisions of laws which conflict or are inconsistent with this Act; prescribing a penalty, and declaring an emergency."

Read and referred to the Committee on Public Health.

Senate Bill No. 85.

By Senators Beck, Redditt, Martin, Poage, and Woodruff:

S. B. No. 85, A bill to be entitled "An Act providing that the scholastic census of Texas shall be taken annually upon a prescribed form by a census trustee whose duties are specific in defining and controlling the taking of census in county line districts; providing for the separation of the taxes and children of said county line districts; giving county superintendents duties relative to taking of scholastic census and the method of checking school rolls; prescribing the duty of the State Superintendent of Schools; the require-

ments relative to the retaking of the scholastic census and the methods of payment therefor; and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

Senate Bill No. 86.

By Senators Beck, Redditt, Martin, Poage, and Woodruff:

S. B. No. 86, A bill to be entitled "An Act providing for the taking of the school census of Texas upon prescribed forms by census trustees for the year 1935-36 and providing that said census shall be added to and deducted from by the names of children who have moved in and are born into the different communities of Texas and deducting therefrom names of children who have moved out or who have died in said communities in Texas; annually providing for the taking of school census in county line districts and a division of funds, both taxes and State available school fund, in county line districts, providing for the levying and assessing of property taxes in said county line school district; and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

Senators Excused.

Senator Poage asked that Senator Oneal be excused for the balance of the week on account of important business. Senator Martin was excused on motion of Senator Blackert on account of important business. Senator Small was excused on motion of Senator Davis on account of important business.

Senate Bill No. 87.

By Senators Oneal and Poage:

S. B. No. 87, A bill to be entitled "An Act amending Article 4442, Revised Statutes of the State of Texas, 1925, by adding to said Article Section No. 5, so as to provide that when a keeper, manager, or owner of an institution defined in said Article shall operate same without a license or sell or traffic in babies or permit the use of said institution for purposes other than provided in their license, they may be enjoined in a suit filed by the Attorney General, district or county attorney, or any citizen; and declaring an emergency."

Read and referred to the Committee on Public Health.

Message From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House, with the following message:

Hall of the House of Representatives,
Austin, Texas, Jan. 16, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 12, Relative to a joint session of the Senate and House of Representatives at 2:30 p. m., January 16, 1935, inviting His Excellency the Honorable James V. Allred, Governor of Texas, to deliver his message at such joint session.

Committee on the part of the House: Walker, Calvert, Ford, Stovall, Quinn.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

H. C. R. No. 12.

The Chair laid before the Senate H. C. R. No. 12, Relative to a joint session of the House and Senate, for the purpose of hearing the message of the Governor.

Senator Blackert moved the adoption of H. C. R. No. 12.

H. C. R. No. 12 was adopted by viva voce vote.

The Chair appointed Senators Collier, Pace, Hughston, Blackert and Moore as the committee on the part of the Senate to escort Governor James V. Allred to the platform, at the Joint Session.

Senate Bill No. 31.

Senator Holbrook asked unanimous consent that the constitutional rule requiring bills to lie over 30 days before consideration by a committee be suspended as to S. B. No. 31.

Point of Order.

Senator Rawlings raised the point of order that the Senate had already acted on this matter and could not consider it again.

The Chair overruled the point of order.

Senator Holbrook moved to suspend the constitutional rule requir-

ing bills to lie over 30 days before consideration by committees.

Pending.

Joint Session.

At 2:30 o'clock p. m., the Chair announced that the hour for the joint session had arrived. The Senate adjourned to the House in a body.

In the House.

The Senate, escorted by the Sergeant-at-Arms of the Senate, A. W. Holt, and the Secretary of the Senate, Bob Barker, advanced into the Hall, and, by direction of the Speaker of the House, occupied seats prepared for them along the aisle.

The Joint Committees escorted Governor James V. Allred to the platform.

Honorable George Butler, of the House of Representatives, presented Governor Allred.

Governor Allred delivered the following message to the Legislature:

Outline Message.

- I. Introduction.
- II. Relief Problem.
 - (a) Direct and Work Relief.
 - (b) Old Age Pensions.
 - (c) Planned Recovery.
 - (d) Texas Planning Board.
 - (e) Housing Program.
 - (1) Frugality and economical expenditures in government.
- III. Submission.
- IV. Oil Regulation.
- V. Other Subjects:
 - (a) Utilities.
 - (b) Taxation.
 - (c) Crime and Law Enforcement.
 - (d) Labor Laws.
- VI. Lobby Laws.
- VII. Amendments.
- VIII. Conclusion.

The Members of the Senate and the House of Representatives of the Forty-fourth Legislature:

It is your honor and good fortune to constitute the Centennial Legislature of Texas. As the people's chosen representatives you are in the enviable position of leadership and responsibility occupied exactly 100 years ago by illustrious patriots who laid the foundation of government for the Lone Star State. It should be, and I am sure it is to each of you an inspiration and a call to service.

The Constitution has wisely provided for the Legislative, the Executive and the Judicial departments of government, none of which "shall exercise any power properly attached to either of the others except in the instances" expressly permitted therein. I heartily assure you of my recognition of the wisdom of these profound principles and of my earnest desire to assist you in accomplishing the tasks ahead.

The Constitution, however, has imposed upon you and me certain duties and obligations. Among other things, the Governor is required by the Constitution to recommend to the Legislature from time to time "such measures as he may deem expedient." In view of unprecedented conditions familiar to us all, it is doubly imperative that we should at all times work harmoniously for the common cause.

Faithful administration of the affairs of Texas is the biggest thing ahead. This Centennial Legislature has the biggest opportunity to serve Texas and, at the same time, the biggest responsibility to the people, of any lawmaking body in its history.

Thus, as public servants, you and I have a common objective—protection and advancement of the rights of the people. To facilitate the attainment of this high purpose, I tender to all the members of the Legislature the freedom of the Executive Offices. I want you to come to me with your suggestions and give me the benefit of your views upon any public question. I pledge you my wholehearted cooperation and assistance in making Texas a better place in which to work and live.

In her formal message to the Legislature my immediate predecessor presented her views as to "the condition of the State" and made certain recommendations. As incoming Governor it is now my duty to give to you the benefit of my views and recommendations. As stated in my Inaugural address on yesterday, I doubt the wisdom of attempting to present to the Legislature at one time a complete and detailed program. At a later date I shall have additional comment to make upon "the condition of the State," and, from time to time, will make specific suggestions to you in the interest of good government.

At this time I commend to you for careful study and action each plank in the State Democratic platform. For your convenience I am attaching hereto a copy of this platform, with the respectful suggestion that it be inserted in the Journal of each House.

In this message I desire to direct your attention to what I deem to be our more pressing problems; and to submit by specific statements, for immediate consideration during the first thirty days of your session, a limited number of subjects.

Relief Program.

There is much work for each of us to do. I heartily agree with the Party platform declaration to which we are committed that:

"Restoration of a sound, economic and social structure is of most immediate concern to the people."

There are approximately 250,000 families on the relief rolls of the State. Many of the bread winners for these families, through no fault of their own, are the unfortunate victims of an economic catastrophe. All that they need or desire is a chance to earn a decent living.

Direct and Work Relief.

I know you will agree with me that the speedy elimination of this burden of direct relief by the restoration of jobs for the idle is our greatest and most pressing problem. Under the National Administration policy this responsibility has in great measure been undertaken by the Federal Government, operating, of course, with the cooperation of the State, each in their separate and proper spheres.

Under the leadership of our beloved President, Franklin D. Roosevelt, the Congress of the United States is expected to meet this great challenge. According to recent press announcements, it is now the plan of the National Government shortly to substitute work relief for direct relief wherever possible. The President has made his recommendations to Congress, and we in Texas may well take pride in the fact that the plan of the National Government tracks closely the recommendations of our own State Democratic platform, upon which practically all of us were elected in November.

The very plan of the Federal Government, however, presents a grave question of immediate concern to Texas. Heretofore, the Federal Government has matched State funds for direct relief. It is understood that hereafter they will only furnish funds to give work relief to employable persons on relief rolls; and, in the absence of available work relief, will contribute toward direct relief to employables until work can be afforded them. This change in the policy of the Federal government means that, of necessity, the State, county and city governments may soon have to make provision for relief of all unemployables in the State.

I am advised by the Board of Control (which now constitutes the State Relief Commission) that there are now on the relief rolls many thousands of people who are unable to work. These unfortunates must be cared for. Nobody is going to starve in Texas if we can help it.

The only means at hand for direct relief is the issuance of the remainder of the relief bonds authorized by the constitutional amendment adopted in 1933. Of the \$20,000,000 of relief bonds originally authorized, \$16,500,000 have been issued by the Legislature to date. Of this amount only \$1,500,000 remains unsold. These bonds, under the present law, will be sold and expended, I am advised, for the month of February, 1935. After that time there will be no available relief bonds unless the Legislature issues the remainder of the authorized bonds.

The Board of Control requests and recommends that the remaining \$3,500,000 be issued and sold at an early date in order that part of such relief funds may be made available for the month of March, 1935, and thereafter in such amounts, from time to time, as the Legislature may see fit to authorize.

Realizing the gravity of the situation, and in order that we may be prepared for any emergency, whatever plan may be adopted by the Federal government, I join in this recommendation of the Board of Control. I urge the Legislature to proceed at once to meet the emergency confronting us. I suggest that the proper committees immediately call before them the members of the

Board of Control, the State Relief Administrator, and others interested and informed in matters of state relief for recommendations and information, to the end that a proper law be enacted as soon as possible authorizing the issuance of the remaining relief bonds.

The emergency matter submitted in this connection is expressly confined at this time to that of the passage of a bill similar to those heretofore enacted authorizing the issuance of relief bonds upon such conditions, and in such amounts, as the Legislature may prescribe, under the constitutional amendment originally authorizing the issuance of these bonds.

To facilitate this work I have requested the Hon. Pat Dougherty, former Assistant Attorney General in charge of the issuance of these relief bonds for the State Commission, to prepare a suggested bill authorizing the issuance of these bonds. I am attaching a copy of this suggested bill to this message, and will be happy to have such members of the Legislature as are interested in this matter lend their signatures to its introduction. By this suggested bill I do not mean, in any wise, to attempt to direct the course of the legislation. It is submitted merely as a working model, of course, subject to any changes you may see fit to make. I do, however, urge upon you the necessity for immediate action upon this or some similar bill.

Old Age Pensions.

I am informed that a large percentage of unemployables on relief rolls are made up of destitute aged citizens, both men and women. No relief program, therefore, can be complete without dealing with this subject. Our present poor house methods are far too antiquated and inhumane for this enlightened State.

The President has already recommended social security legislation to the National Congress and, in all probability, a Federal Old Age Pension Act will be passed. According to the best information I have, it is expected that any allotment by the National Government for old age pensions will be conditioned upon similar amounts being appropriated by the states; or, putting it another way, that to meet the varying conditions and demands in each section of

the country, Congress may propose to match whatever pensions the states may provide for.

A number of our sister states have already passed old age pension acts. I suggest that the proper committees of each house immediately begin a study of this legislation, its cost, methods of financing its effect in other states, etc., in order that we may be prepared to submit a vote of the people a far-reaching and intelligent plan for old age pensions. Many different questions will arise in this connection, and any constitutional amendment or enabling legislation should be carefully studied and prepared.

Old age pensions for the destitute are just, humane and inevitable. This Legislature has a golden opportunity to make adequate provision which will remove the haunting fear and dread of old age from the hearts of some of our most worth while citizens.

Planned Recovery.

The State Democratic platform expressed the belief that "this State should adopt and carry forward a planned program of recovery and rehabilitation." This is in keeping with the pattern afforded by the President who continues to unfold a planned program of recovery for the nation. One of the principle causes of our difficulties in State government in the past, it seems to me, is that we have rocked along in rather haphazard fashion without the long range vision and the careful planning to which Texas is entitled.

Under the "new deal" of Franklin D. Roosevelt, billions of dollars were appropriated in an heroic effort to lift the country out of the depression. It has meant much to Texas, but not as much as it could have meant if we had been prepared to avail ourselves of all the "new deal" offered. Many communities and subdivisions of our government received seemingly substantial sums for public works projects, but an even casual examination reveals that it was only a small part of what Texas could have secured by operating under a real planned program of progress.

In announcing the future Federal policy of substituting work for direct relief, the President has asked Congress to appropriate even more money than before. In its broadest aspects

the National program seeks to restore millions of jobs by a gigantic program of public works. The Federal Government is committed to a long range program designed to encourage the best usage of the country's land, water, mineral and other natural resources. In addition, many millions of dollars have already been appropriated to insure private financial institutions against loss by loans to citizens for repairing, constructing and refinancing their homes.

In this vast recovery program Texas, as the greatest State in the Union, has a very definite responsibility. The only State in the Union constituting an empire within itself, the richest State in natural resources and in citizenship, a land where people can live at home, it offers the greatest possibilities for development. In developing the greater resources and facilities of Texas, I have no doubt our State can more intensely interest the National Administration than any other.

For instance, part of the plan of the Federal Government may be to remove citizens from communities and States where they can no longer procure a livelihood, transplanting them to other States where they can live a broader and fuller life. Some of these people are the finest and sturdiest citizens this country has ever known. We want them in Texas. We want industrial development, rural industrial communities, real subsistence homesteads, finer farms, more factories and manufacturing institutions. We can get them if we will go after them.

Texas Planning Board

It is rather difficult for the Governor, alone, as the representative of the State, with the many duties already imposed upon him, to find and secure the maximum benefits to which our State is entitled. In order, therefore, that our recovery efforts may be really coordinated with those of the National Government, I deem it advisable to urge the Legislature to create a State Planning Board. The National Government has heretofore suggested that the states take such a step, and a number of other states have already set up planning boards.

In my judgment, this board should be charged with the duty of investigating and determining all available sources of Federal aid for development of our State or its subdivisions,

and for furnishing and providing employment in worth while projects. It should be given the power and duty of formulating a comprehensive program for state development and rehabilitation. Such an agency should give particular consideration to the conservation of our natural resources, to the prevention of soil erosion and to public works projects. For this purpose, it should formulate plans to encourage the best use of available Federal funds. Such agency should be utilized to formulate a housing, rural rehabilitation and slum clearance program. These latter projects are already under way in a number of other states where remarkable and worth while progress has been made.

To those who, at first impulse, might oppose such a plan, on the general proposition that they are opposed to the creation of additional boards, I would say that at this time we have no legal board which could logically perform these duties. In the absence of legislative authority for an official board, the retiring Governor, many months ago, appointed an unofficial board to represent her and coordinate State efforts with the National Government. This board has performed fine service, but its members represent to me that it is very unsatisfactory in view of the fact that they have no legal or official status.

It is my judgment that no salary should be provided for the members of a state planning board. Some of the finest services ever rendered to Texas have been at the hands of outstanding citizens serving as members of honorary boards without compensation. The members of the present unofficial boards have been paying their own traveling expenses in coming to Austin and going elsewhere on official business; and I respectfully submit that it is manifestly unfair for them to continue to make such sacrifice.

I therefore respectfully submit for emergency consideration this proposal to create a Texas Planning Board. In my judgment, its immediate creation will facilitate the recovery march in Texas and before the end of the Regular Session of this Legislature it will prove to have been invaluable.

Housing Program.

A planned state program is particularly advisable at this time be-

cause of the recently enacted National Housing Act, which makes available annually for loan to the citizens of this State many millions of dollars for use in construction and reconstruction of urban and rural homes, as well as for the refinancing of existing mortgages upon such homes. Full utilization of this allotment, upon the 20 per cent guarantee under the National Housing Act, will mean the direct expenditure in urban building alone of more than two hundred million dollars during 1935. Possibly an equal amount will be available for rural housing expenditures.

In order that the people of Texas may avail themselves of the full benefits of this great Federal housing program, it will be necessary for the Legislature to amend certain articles of the statutes affecting banks, insurance companies and building and loan companies. I have therefore caused to be prepared ten proposed bills as amendments to existing statutes regulating these financial institutions. These proposed changes, if adopted, will simply except from the restrictions of existing regulations the Federal guaranteed housing loans.

I am advised by representatives of the Federal Government that these changes in our laws, if adopted, will not in any wise disturb the sound structure of our financial institutions. On the other hand, the adoption of these proposed amendments will make available for building activity in this State many millions of dollars which will undoubtedly contribute to the restoration of prosperity in our State.

It seems to me that none of these subjects could logically form the basis of controversy. They are merely designed to ease the relief burdens of the people of Texas. The adoption of the measures I propose will make available to the people of this State Federal funds already appropriated for the purpose. Any delay in making them effective will deprive this State of benefits to which the people are entitled. It is my hope, therefore, that these ten, or similar measures, will be speedily adopted by the Senate and the House of Representatives. Necessity demands that I urge them as emergency legislation.

Submission.

The state platform of the Demo-

cratic party also provides: "We favor submission to a vote of the people of the question of repeal, revision or modification of State constitutional prohibition."

To this platform demand I am likewise unequivocally committed. As is well known, I am personally opposed to repeal; yet I favor the submission of this controversial question to a vote of the people at as early a date as possible.

May I again, however, respectfully suggest to the Legislature the necessity for careful study and careful preparation of the proposed constitutional amendment: After the so-called beer amendment was submitted in 1933, many grave questions were raised, some of which have not, as yet, been finally determined in the courts.

It seems to me it is only fair that when this proposed amendment is submitted for a vote of the people it should carry with it, perhaps not as a part of the amendment itself, but by contemporaneous enabling legislation, the proposed plan, or plans, for regulation of the liquor traffic in the event the amendment is adopted. I am sure our citizenship on both sides, those who favor and those who oppose repeal or modification, will agree that it would enable the people more intelligently and seriously to cast their votes if they could know in just what manner it is proposed to deal with this troublesome question.

I suggest, therefore, that proper committees of each House begin an immediate study not only of the repeal resolutions introduced, but of the systems of control in other states such as the state monopoly system. I recommend further that these committees make a study of revenues that might be reasonably expected therefrom and the problems of collection with a view of recommending an enabling statute in the event of adoption of the amendment by the people.

Much confusion has prevailed in a number of states which repealed or altered their state liquor laws without making adequate provision in advance for the regulation or proper taxation of the business in the event of repeal or modification. I believe this Legislature can perform a signal and a pioneering service in this respect if they will carefully study and plan for eventualities such as pointed out above, as well as for real protection of the in-

tegrity, in every respect, of dry communities in the event present constitutional provisions should be repealed or modified.

Oil and Gas Conservation.

The oil industry in recent years has grown to vast proportions. Today it is one of the major ranking industries in the State, employing thousands of people and contributing substantially to the economic welfare of the State. It has been the source of much political controversy due to the unfair practice of both majority and minority groups. Its regulation in the interest of conservation has been the constant concern of the state government for the past four years.

Much of the trouble of the oil industry and the official life charged with its regulation has been due to misunderstandings, misinformation, and ill-considered criticism by those either unfamiliar or unconcerned with the magnitude or proper solution of its problem or the practical difficulties confronting our public officials in this new and unexplored field of regulation. In the past not a little of our difficulties has been due to the fact that laws dealing with the production of oil and gas, as well as the rules and regulations of the conservation commission passed thereunder, have been enacted under high pressure at a time when, figuratively speaking, the "House was on fire." Practically all amendments to our laws dealing with the oil and gas industry have been hurriedly passed, often while legislative investigations of officers against whom reckless charges had been made were being carried on, and at a time when feeling was high. As a result of these conditions and failure to keep in mind the proper objective, we have had too little of co-operative effort between the several departments of government dealing with these problems. The industry, and the State as well, has suffered accordingly.

I am sure the citizenship of Texas and all its public officials want to see the oil industry prosper, want to see it continue as an industry in which the profit motive and opportunity may still exist, but want it administered at all times with due regard to the rights of the consuming public.

Recently there have been premonitions and predictions of profound

change in opinion as to policy and procedure. We have heard modified rumblings of criticisms similar to those of 1931, '32, '33 and '34. Upon the whole, however, the prospect ahead for the oil industry is good. Conditions have steadily improved notwithstanding the recent decision of the United States Supreme Court striking down Section 9-C of the National Recovery Act. Since that decision there are those who say the State is powerless, under its present laws, to deal with petroleum and its products in interstate commerce. While I am personally in favor of a reenactment of Section 9-C of the Industrial Recovery Act to meet constitutional objections and to enable the Federal Government to operate in its constitutional domain (that is, regulation of shipment of illegal oil in interstate or foreign commerce), yet I am firmly of the opinion that the State and the State alone has the power to deal with the production of oil within the State. I am still in agreement with the State Democratic platform opposing the "abdication or surrender of the State's power to control the production of its natural resources," and likewise oppose "any federal encroachment upon the exclusive power of the State to control the production of oil and gas."

Believing as I do that the State and the State alone has this power and that the State can adequately control same, I am also of the opinion that if our present laws are not adequate, then they should be strengthened so as to give to the State conservation commission sufficient means and power to make them fully effective.

So long as we carry out a policy of restricting production of oil, then that production must be ratably divided between wells in proportion to their ability to produce. Personally, I have no patience whatever with the individual or so-called "hot oil artist" who, in violation of the law, tries to secure more than his fair share of oil production.

I am inclined to believe that present laws are not sufficiently strong adequately to punish either those who outright steal oil or produce same in violation to valid orders of the State Commission.

At this particular time there is no so-called "chaos" in the oil industry, but there are those who for selfish purposes or for power would

relish the State's failure adequately to handle this situation. In no event will we, as Texans, abdicate our exclusive right to regulate the production of oil in our State, but, as honest Texans, we have simply got to handle this problem efficiently.

It seems to me it would be well for us to sit down at this time and sanely, dispassionately and temperately examine our present laws to determine their defects, if any, what the State Commission needs and what this Legislature can do to make State control more effective. I therefore recommend: That the proper committee of each house begin an immediate study of our present laws with this end in view. That you ask the Chairman of the State Railroad Commission and the chief enforcement agent of the Commission, the Assistant Attorney General representing the commission and other interested officials and citizens to appear before your committees for the purpose of pointing out and making recommendations for curing such defects as may be found to exist in our conservation laws.

Later on I may have some specific suggestions to make to you myself; but, in the meantime, I suggest that among other things the committees' study be directed toward the following questions:

1. Are our present State laws sufficient to enable the State Commission adequately to deal with the regulation and production of oil and gas to effectuate real conservation?

2. Are the penalties now provided by law sufficient to deter law violations?

3. Has the State Commission really been given a sufficient appropriation to employ a sufficient force of efficient, intelligent men to really discharge the duties the law has imposed upon the commission?

4. Has the Attorney General really been given sufficient appropriation to enable him to employ sufficient capable assistants to properly represent the commission?

Other Subjects.

No recovery program can be complete in Texas without the passage of legislation authorizing real regulation of the rates charged by public utilities and without an intelligent solution of the painful and troublesome question of taxation. It is

vital that the most rigid economy be practiced in conducting the State's affairs. Each of these subjects are of such importance as to warrant their discussion in special messages. At a later date I expect to submit to you my views upon these subjects.

This statement applies as well to the commanding question of crime and law enforcement. At this time I prefer to defer a detailed discussion of this question awaiting the full and final report of the Senate Investigating Committee, which, in my judgment, is rendering a splendid service to the State. Other important subjects, such as the State's attitude toward labor and the passage of legislation designed to protect the interests of those who toil, will be discussed with you in due course.

Lobby Laws.

I particularly call to your attention the following planks in the State platform of our Party:

"We condemn paid lobbies maintained to improperly influence members of the Legislature and other State officers and favor strengthening the anti-lobby laws.

"We favor full disclosure of employment of retainers of members of the Legislature by private interests."

These subjects have been freely discussed before the people and are well implanted in the public mind. I am firmly convinced that a majority of our citizens desire early passage of a real lobby regulation law and a law requiring periodical disclosures, under oath, by members of the Legislature and other State officers as to their employment and retainers. I understand that bills and resolutions pertaining to these subjects have already been introduced. As yet, I have had no opportunity to study them, but I do strongly recommend passage of complete and effective legislation to deal with these problems.

Amendments.

I urge upon you the necessity for careful and cautious attention to the fashioning and preparation of the various bills and constitutional amendments. I suggest that all constitutional amendments be referred to the Attorney General for study, with the request that he point out to the proper committees of the Legis-

lature any loopholes, defects or questions which might arise after adoption. Hasty preparation of these amendments can result in serious objections which defeat the purpose of the Legislature.

For instance, I desire to direct your attention to the proposed constitutional amendment submitted at the last regular election to abolish the fee system. In plain language, this proposed amendment abolished the fee system of compensating public officers but made no provision whatever for the method of payment in the event the amendment was adopted, other than to say that public officers should be paid by salaries. No enabling legislation was passed; and had this particular amendment been adopted at the time, most of our public officers would have been without compensation of any kind until the Legislature could be called into special session to deal with this problem.

Conclusion.

In conclusion, permit me again to assure you of my desire at all times to cooperate with and assist this Legislature and of my need for your wholehearted cooperation and assistance. I faithfully hope to see the sessions of this Legislature marked with a greater degree of harmony between the members and with the departments of government than any other Legislature in the history of the State.

Many battles have been fought and won by our forebears to glorify the pages of Texas history, but at no time has a more serious menace confronted the State than we find today. An unparalleled economic disorder coupled with a tremendous deficit in the Treasury challenges the highest order of service that within us lies. Only by the sincerest cooperative effort between all public officials can the fight be won, and only by such patriotic conduct can we measure up to the responsibility that is ours.

Respectfully submitted,

JAMES V. ALLRED,
Governor of Texas.

**Platform of the Democratic Party
of Texas.**

Adopted at Galveston September
11, 1934.

The Texas Democracy in convention assembled reaffirms its allegi-

ance to the traditional principles of the party.

We reaffirm our faith in the dual form of government created by the Federal Constitution and pledge again our allegiance to the principles of State and local self-government free from interference.

We heartily acclaim the peerless leadership of President Franklin Delano Roosevelt, and of that great Texan, Vice-President John Nance Garner.

We especially endorse all nominees of the party in the Democratic primaries. We proudly accept the leadership of James V. Allred, the party nominee for Governor, and we recommend to the Legislature and the people a favorable consideration of his progressive program of betterment for Texas.

We believe the platform of the party should frankly recognize existing evils in state affairs and suggest a program of reform that is possible of performance.

We recognize that restoration of a sound economic and social structure is of most immediate concern to the people. We recognize that Texas is essentially a producer of raw products and that any recovery program must embrace diligent care to effectuate a widening of markets therefor and improved extension of credit to producers. Regardless of the causes of the economic catastrophe that has overwhelmed the State and nation, there are some helpful and sensible things this State can and should do to relieve the hardships of the people.

So far as possible, we believe this State should coordinate its recovery efforts with those of the National government in order that the maximum benefits may be attained.

We believe this State should adopt and carry forward a planned program of recovery and rehabilitation.

In the fervent hope it will point the way to better days in Texas, we declare this to be the platform of the Democratic Party:

For the duration of the present economic emergency, we favor direct relief to needy and distressed people where absolutely necessary.

We oppose any system of doles as a policy of government.

We demand that administrative costs of relief be materially reduced, that relief be divorced from politics,

and that relief be efficiently administered.

We oppose the employment of persons in relief work who are or may be otherwise gainfully employed.

In order to discourage local competition for relief funds we favor the transfer of some measure of the relief burden and responsibility to the local units of government. We favor the abandonment of direct relief at the earliest practicable time and the substitution in its stead of gainful and useful employment.

As one means of increasing employment we favor the use of some existing state agency to encourage industrial development and expansion. We advocate an accurate survey of the state's industrial possibilities and the markets for industrial products by such state agency and the free dissemination of such information.

The farms and ranches of the state must be relieved of unjust and excessive burdens of taxation. We advocate the enactment of reasonable laws that will relieve the farmers of the crushing burdens of debt until the return of better times. We favor a continuation of the work of our agricultural colleges, experiment stations, county agents, home demonstration agents, and the further extension of agricultural education in the public schools. We favor the enactment of laws that will encourage the better financing of farm mortgages at lower rates of interest. We advocate the further extension and development of farm cooperatives, the widening of market and extension of credit to producers of farm products.

Believing that labor should receive a more generous share of the earnings of industry we favor reduced hours of labor without the reduction of individual earnings. We favor the immediate application of this principle as a means of spreading employment. We recognize labor's right to organize in order to better its condition and favor a public policy outlawing employment contracts abridging such right. We oppose the abusive use of injunctions in labor disputes. We favor full and adequate protection of the rights of labor by every available means. We do not believe the State Labor Commissioner should be burdened with

the duty of supervising boxing and wrestling.

No recovery program will be complete until the rates of public utilities are scaled down. While private ownership is preferable, we favor the enactment of laws that will make it practicable for any community to acquire and operate its own public utilities. We favor the conservation, development and use of the State's water power in the public interest. We advocate the immediate enlargement of the regulatory powers of State and municipal authorities and a simplification of trial and appellate procedure in rate cases.

We favor the retention of the anti-trust laws to prevent monopoly and unfair trade practices. We recognize that the diminishing field of opportunity for the individual to engage in business under his own initiative is largely due to the centralized control of industry. We advocate a revision and enlargement of the anti-trust laws and the enactment of other legislation designed to reopen the door of opportunity to small home-owned business and industry and to protect them against unfair advantages and practices of giant corporations and foreign owned chains.

In order to meet modern transportation demands and furnish needed employment we favor a continuation of the highway construction program. That this program may not be interrupted we oppose any further diversion of highway revenues.

We favor the encouragement of home ownership. This State should enact laws to encourage financial institutions to cooperate with our citizens in acquiring and improving their homes under the terms of the National Housing Act.

We favor all practicable State co-operation with the National government in its humanitarian proposals to provide for old age pensions and unemployment insurance.

We recognize the paramount importance of the conservation of our natural resources. We demand that a jealous guardianship of State owned oil lands for the benefit of our great school system shall be continued.

We oppose the abdication or surrender of the State's power to control the production of its natural resources. We likewise oppose any

Federal encroachment upon the exclusive power of this State to control the production of oil and gas. We oppose any plan that results in the arbitrary compulsory unitization of oil fields.

To effect a speedy restoration of prosperity the burdens of taxation must be equalized. Needed revenues must be raised by a system of taxation levied on the principle of ability to pay. We demand that the State operate upon a budget that is balanced on the basis of accurate estimates well within the public revenues.

We favor easing the tax burden on real estate by shifting a reasonable portion of the tax to property now escaping taxation. To this end we favor the adoption of Senate Joint Resolution No. 16, proposing a constitutional amendment at the General Election in November authorizing the Legislature to classify property for taxation. We advocate a reclassification of all wealth for tax purposes in order that property now escaping taxation may be made to bear its proportionate share of the burden.

We favor the principle of a substantial graduated chain store tax.

We oppose a state general sales tax.

We oppose the complete abolition of the ad valorem tax.

We demand the strictest economy in government and such further curtailment of expenditures as efficient public service will permit.

We oppose any curtailment of the present scope of work or activities of any of our State institutions of higher learning not inconsistent with a well coordinated educational program. We favor the continued support of our system of public schools, with such increases that a well-rounded educational program demands and the financial condition of the State will permit.

We unreservedly endorse the proposals of a public-spirited citizenship for a Texas Centennial that shall celebrate in 1936, one hundred years of our incomparable and unexamplified progress. To this end, above party or faction or sect or section, we invoke the united support of all the people of Texas. We further call upon the Legislature of Texas, at the earliest opportunity presented, to make ample financial provisions

for carrying out existing plans of the Texas Centennial Commission, for holding a great central exposition that shall be Texanic in its proportions, Continental in its ideals, and International in its scope, and for appropriate local celebrations at those historic places and shrines in Texas, treasured as our common sacred heritage.

We condemn paid lobbies maintained to improperly influence members of the Legislature and other State officers and favor strengthening the anti-lobby laws.

We favor full disclosure of employment of members of the Legislature by private interests.

We favor simplification of criminal and civil procedure to make the attainment of justice speedy, certain and less expensive.

We favor a reorganization and modernization of our State police system and the establishment of a central bureau of criminal identification.

We favor a constitutional amendment transferring the unrestrained pardoning power of the Governor to a non-partisan, non-political board.

We favor an intelligent and thorough rehabilitation program for convicts.

We advocate a comprehensive and enlarged child welfare program.

We condemn the law legalizing race track gambling and favor its repeal.

We favor submission to a vote of the people of the question of repeal, revision or modification of State constitutional prohibition.

To accomplish these great purposes we invite the patriotic cooperation of the Legislature and the sympathetic support of all Texas citizens. With an unselfish devotion to the welfare of the State and its people we can make effectual these progressive proposals "within the broad lines of existing institutions."

In Session.

The Senate returned to the Senate Chamber at 3:15 o'clock p. m., and was called to order by Lieutenant Governor Walter F. Woodul.

Senate Bill No. 31.

Pending business was the motion by Senator Holbrook on S. B. No. 31.

Point of No Quorum.

The point of no quorum was raised by Senator Holbrook.

The roll call disclosed no quorum present.

Call of the Senate.

Senator Holbrook moved that a call of the Senate be made to secure and maintain a quorum until a vote was taken on Senator Holbrook's motion. The motion was seconded.

The Chair, Lieutenant Governor Walter F. Woodul, ordered the Sergeant-at-Arms to lock the doors and allow no Senator to leave, and the absent members were ordered brought in.

At Ease.

On motion of Senator Stone the Senate at 3:25 o'clock stood at ease for ten minutes.

Senators Excused.

Senators Redditt and Beck asked unanimous consent to remain absent for five minutes.

Senator Holbrook objected.

Senator Holbrook withdrew his objection and Senators Redditt and Beck were excused for five minutes.

The roll disclosed a quorum.

Present—24.

Blackert.	Neal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Regan.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Stone.
Holbrook.	van Zandt.
Hornsby.	Sulak.
Hughston.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Beck.	Oneal.
Burns.	Redditt.
Hopkins.	Small.
Martin.	

Senate Bill No. 31.

The pending motion by Senator Holbrook failed by the following vote:

Yeas—18.

Collie.	Pace.
Cotten.	Poage.
Davis.	Sanderford.
Duggan.	Shivers.
Hill.	Stone.
Holbrook.	Sulak.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—6.

Blackert.	Hughston.
DeBerry.	Rawlings.
Fellbaum.	Regan.

Absent.

Beck.	Martin.
Burns.	Redditt.
Hopkins.	

Absent—Excused.

Oneal.	Small.
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Senate Resolution No. 15.

Senator Woodruff sent up the following resolution:

Whereas, The Senate members will from time to time and day to day have occasion to seek advice of the Attorney General's Department with reference to the preparation of bills and resolutions, and in properly enrolling and engrossing passed bills, and

Whereas, The Attorney General's Department is without adequate numbers of assistants to care for the heavy volume of departmental business, and

Whereas, The Hon. F. O. McKinsey is a former district judge, former assistant Attorney General, under appointment of former Attorney General James V. Allred, therefore be it

Resolved, That the Senate employ the said F. O. McKinsey to serve to supervise the proper enrollment and engrossment of bills and to advise with Senators in preparation of bills and resolutions, and that the per diem of said employee be \$10.00 per day.

WOODRUFF.

Motion to Suspend Rule.

Senator Woodruff moved that the rule requiring all resolutions to be referred to committee be suspended and that S. R. No. 15 be taken up at this time.

Senator Woodruff withdrew his

motion and S. R. No. 15 was referred to the Committee on Finance.

Senate Resolution No. 16.

Senator Stone sent up the following resolution:

Be it Resolved, That the President of the Senate appoint a committee to arrange for schedule of committee hearings to be composed of the chairmen of the following committees:

Finance Committee, State Affairs Committee, Criminal Jurisprudence Committee, Civil Jurisprudence Committee, Insurance Committee, and Education Committee.

STONE.

Motion to Suspend Rule.

Senator Stone moved that the rule requiring resolutions be sent to a committee be suspended and S. R. No. 16 be taken up.

The motion prevailed.

Senator Stone moved the adoption of S. R. No. 16.

The motion prevailed by viva voce vote.

Senate Bill No. 81.

Motion to Re-refer.

Senator Moore asked unanimous consent that S. B. No. 81 be re-referred to the Committee on State Affairs.

Unanimous consent was granted.

Senate Bill No. 88.

By Senators Beck, Poage, Redditt, Woodruff, and Martin:

S. B. No. 88, A bill to be entitled "An Act providing for the grouping of counties which have a small number of common school district scholastics; providing for the reducing of expenses per capita of maintaining same and selection of district county superintendents limiting the number of groups; providing for the duties of said district county superintendents and the assumption of extra duties assigned by the State Superintendent; providing for the discontinuance of ex-officio county superintendents and the grouping of all ex-officio counties in reasonable administrative districts; providing for the method of paying said district county superintendents as county judges and county superintendents are now paid from different county administrative funds; providing for the repeal of laws that conflict with

all sections of this Act; providing for maximum salaries of said offices and providing limitation of authority, and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

Senate Bill No. 89.

By Senators Shivers, Sanderford, and Beck:

S. B. No. 89, A bill to be entitled "An Act providing for the protection of the public health; defining certain terms used in the Act; authorizing the State Health Officer to define and fix the specifications for certain grades of milk and milk products as defined in the Act; authorizing the State Health Officer and his representatives to supervise and regulate the labeling of milk and milk products; enabling cities and counties to require all milk sold within their boundaries to be graded and labeled; forbidding the use of certain grade labels except under certain conditions and providing penalties and remedies for violation of said provision; forbidding the use of grade labels or other designs or device misrepresenting the contents of any container of milk or milk products; providing remedies and penalties for the enforcement of this Act; providing that if any portion of the Act be held inoperative or invalid the remainder of the Act shall be unaffected thereby, and declaring an emergency."

Read and referred to the Committee on Public Health.

Senate Bill No. 90.

By Senator Hornsby:

S. B. No. 90, A bill to be entitled "An Act providing for the issuance of Three Million Five Hundred Thousand Dollars (\$3,500,000.00) of Texas Relief Bonds, Fourth Series, under Section 51-a, of Article 3 of the Constitution of the State of Texas; providing the terms of the bonds, and the method of sale thereof by the Texas Bond Commission; providing for the disposition of the proceeds of the sale of said bonds; prohibiting borrowing in anticipation of future issuance of bonds and defining such act as high crime and misdemeanor; providing a method of retirement of said bonds and the interest thereon and making an appropriation therefor; providing for the destruction of issued and unsold bonds and of redeemed bonds and

the transfer of any unused moneys derived from the sale of said bonds to the Texas Relief Bond Sinking Fund, Fourth Series; appropriating the proceeds of the sale of said bonds to the State Board of Control, and abolishing the Texas Relief Commission created by Chapter 37, Acts of the First Called Session of the Forty-third Legislature; providing for the State Board of Control taking over the administration of relief work, prescribing its powers and duties; and making appropriation for additional salaries, employees, and other necessary expense; providing that no bonds shall be sold after August 26, 1935; providing for appointment of Chief of Relief Division of the State Board of Control, an assistant director and other employees, county boards, their membership, and their employees, and making an appropriation; specifying the way and manner in which said moneys shall be expended, providing for rules and regulations for the handling of said funds and the powers of the State Board of Control with reference thereto; providing for the distribution of funds; making appropriation for the printing, engraving, signing, advertisement, sale and other expenses incident to the sale of said bonds; providing that no commission shall be paid on the sale of said bonds; authorizing filing of suit in case of default in payment; providing for rules and regulations for handling certain funds for county or municipal projects; authorizing county administrators to place persons temporarily upon county relief rolls; prohibiting appointees or employees under this Act from engaging in political campaigns; providing that no physically fit person who has refused employment at the prevailing wage scale shall be granted relief by the county administrator; directing the State Board of Control to seek cooperation of the Federal Relief Agency in regard to rules and regulations applicable to expenditures of relief funds; providing for expenditure of certain funds for hospital services; providing for expenditures of certain funds for hospitalization of indigent tubercular patients; providing for expenditure of certain funds for distribution of food and/or clothing; authorizing the State Board of Control to accept and administer Federal funds; prohibiting expenditure of any relief funds for the benefit of any person who has not

been a bona fide resident of the State of Texas for a period of one (1) year; providing the method of disbursing relief bond funds; prohibiting expenditure of relief bond funds in payment of salary to any employee of the Texas Relief Division of the State Board of Control who is related in the second degree to the head of any department, member of the Legislature or to any member or employee of the State Board of Control; providing that this provision shall not apply to persons now employed by the Texas Relief Commission; prohibiting the misappropriation of relief funds, the making of false reports concerning such funds, or knowingly and unlawfully distributing or expending any of said funds, defining such act as a felony and prescribing a penalty; prohibiting the willful making of a false statement in order to procure relief funds, defining such act as a misdemeanor and prescribing a penalty; authorizing the members of the State Board of Control, the Director and Assistant Director to administer oaths relative to discharge of their duties, or in inquiry thereto; providing that false swearing in connection therewith shall be punishable under the provisions of the Penal Law applicable to false swearing; providing that if any section, clause or sentence of this Act is held unconstitutional such holding shall not affect the remaining portions of this Act; and declaring an emergency."

Read and referred to the Committee on Finance.

Resolution Signed.

The Chair, Lieutenant Governor Walter F. Woodul, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following resolution:

S. C. R. No. 4.

Adjournment.

Senator Hill at 4:00 o'clock p. m., moved that the Senate adjourn until 10:00 o'clock a. m. Thursday.

The motion prevailed by viva voce vote.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, Jan. 16, 1935.

4—Jour.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 4 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

SEVENTH DAY.

Senate Chamber,
Austin, Texas,
January 17, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Walter F. Woodul.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Moore.
Blackert.	Neal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Westerfeld.
Martin.	Woodruff.

Absent—Excused.

ONeal.

Prayer by the Chaplain.

Further reading of the Journal was dispensed with, on motion of Senator Martin.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

Senate Resolution No. 17.

Senator Hornsby asked unanimous consent to read S. R. No. 17 to the Senate from the Secretary's desk.

Unanimous consent was granted.

Whereas, We stand ready at all times to exert ourselves to the utmost, in behalf of the women and children of our country, and are willing to fight, if needs be, to protect them fully in the enjoyment of all their rights and privileges under our government;

Whereas, We want no sweatshops and none of the products thereof,